



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,374	01/22/2001	James Thompson	5285-06300	2543
7590	01/19/2005		EXAMINER	
Jeffrey C. Hood Meyertons, Hood, Kivlin, Kowert & Goetzel PC P.O. Box 398 Austin, TX 78767-0398			LESNIEWSKI, VICTOR D	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)
	09/767,374	THOMPSON ET AL.
	Examiner	Art Unit
	Victor Lesniewski	2155

All participants (applicant, applicant's representative, PTO personnel):

(1) Victor Lesniewski. (3) Jeffrey Hood.
 (2) Patrice Winder. (4) Ian Fink.

Date of Interview: 13 January 2005.

Type: a) Telephonic b) Video Conference
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
 If Yes, brief description: _____.

Claim(s) discussed: 1 (and similar claims).

Identification of prior art discussed: Feder et al. (U.S. Patent Number 6,512,754).

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


Patrice L. Winder
 PATRICE WINDER
 PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant sought clarification of the rejection detailing that Feder's access point and wireless hub functionality recites the limitations of a first access point as stated in claim 1. The examiner sought to clarify the rejection by discussing the functionality of Feder's access points and wireless hub as related to the applicant's claimed access point. Since Feder recites an access point and a wireless hub that are co-located at a base station their functionality can be considered logically the same as the access point in claim 1 even if their configuration differs physically in some ways. The discussion seemed to help clarify the rejection for the applicant. The examiner has agreed to review the application to determine if there are suggestions to be made for allowable subject matter. The applicant's agenda for this interview is attached..

**RESPONSE UNDER 37 C.F.R. § 1.116
GROUP ART UNIT 2155**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/767,374

Filed: January 22, 2001

Inventor(s):

JAMES W. THOMPSON,
KATHLEEN E.
MCCLELLAND, AND BRETT
B. STUART

Title: DISTRIBUTED
NETWORK
COMMUNICATION
SYSTEM WHICH
ALLOWS MULTIPLE
WIRELESS SERVICE
PROVIDERS TO SHARE
A COMMON NETWORK
INFRASTRUCTURE

Examiner: Lesnicki, Victor

13

Group/Art Unit: 2155

Atty. Dkt. No: 5285-06300

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

Jeffrey C. Hood

Digitized by srujanika@gmail.com

Signature

AGENDA FOR A PROPOSED TELEPHONE INTERVIEW

Examiner Lesniewski:

In response to the Office Action of October 27, 2004, the following is a proposed agenda for a Telephone Interview with Examiner.

Applicant would specifically like to discuss one or more issues concerning Examiner's assertion that Feder et al. (U.S. Patent No. 6,512,754, hereinafter "Feder") teaches, in Feder's Figure 4, that two or more separate physical "access points and a wireless hub [which] are co-located at a base station" are "a first access point" as recited in Applicant's claim 1. Applicant is unclear how two or more separate physical access points and a separate physical wireless hub teach "a first access point" as recited in Applicant's claim 1.

Applicant would also specifically like to discuss one or more issues concerning Examiner's assertion that Feder teaches ". . . wherein one or more of the plurality of possible SIDs each indicate one or more VLANs" as recited by claim 90. Examiner cites Feder col. 40, line 62 - col. 41, line 2 to teach this feature. Applicant would like to discuss that, instead, Feder teaches and discloses that within a wireless router, a PPP (Point to Point Protocol) connection can be terminated and data from the PPP connection can be sent to a local area network (LAN) in col. 40, line 62 - col. 41.

Applicant notes that the Examiner indicated that a Primary Examiner may be present during the Telephone Interview. Applicant looks forward to the Telephone Interview.

Applicant respectfully requests that Examiner grants Applicant with the Telephone Interview with Examiner. If Examiner grants Applicant with the Telephone Interview with Examiner, please contact Jeffrey C. Hood at 512-853-8820 so a convenient time can be coordinated.

Very Truly Yours,

Jeffrey C. Hood
Attorney for Applicant(s)
Reg. No. 35,198

JCH/IMF